

Oklahoma State Department of Education

December 4-8, 2006

Scope of Review: A team from the U.S. Department of Education's (ED) Office of English Language Acquisition, Consolidated State Grant Division conducted an on-site review of the Oklahoma State Department of Education (OSDE) the week of December 4-8, 2006. This was a comprehensive review of the OSDE's administration of the Title III, Part A program authorized by the No Child Left Behind (NCLB) Act.

In conducting this comprehensive review, the ED team carried out a number of major activities. The ED team analyzed evidence of implementation of the State's Title III accountability system, reviewed the effectiveness of the language instruction educational programs and professional development processes established by the State to benefit local educational agencies (LEAs), as well as district-level professional development implementation, and reviewed compliance with fiscal and administrative oversight activities required of the State educational agency (SEA). During the on-site review, the ED team visited four LEAs: Oklahoma City Public Schools, Guymon Public Schools, Union Public Schools, and Tulsa Public Schools. The ED team interviewed administrative and teaching staff in each of the school districts.

Oklahoma State Department of Education Participants:

Sandy Garrett, State Superintendent of Public Instruction
Andy Young, Deputy State Superintendent
Ramona Paul, Assistant State Superintendent, Professional Services
Cindy Koss, Assistant State Superintendent, School Improvement, Office of Standards and Curriculum
Misty Kimbrough, Assistant State Superintendent, Special Education Services
Shawn Hime, Assistant State Superintendent, Financial Services
Jennifer Stegman, Assistant Superintendent, Office of Accountability and Assessments
Van Anderson, Title III Director
Melissa McGavock, Bilingual Education Coordinator
Kent Tippin, Executive Director of Fiscal Services
Vonna Anderson, Administrator, Federal Accounting and Reporting
Patti High, Chief Information Officer, Data Processing/Research Services
Dawn Williams, Database Administrator
Karyn Hutchens, Director, Resident Teacher/Professional Development
Frank Rexach, Program Specialist, Title I Migrant Education
Mary Pearson, Title I Executive Director-School Support
Kathy Draper, Team Leader, Office of Grants Planning
Gayle Castle, Office of Grants Management
Lu Norman, Executive Director, Financial Accounting
Iona Martin, Financial Specialist, Financial Accounting
Karen Nickell, Team Leader, Professional Standards/Certification

LEA Representatives:**Oklahoma City Public Schools Participants:**

Manny Soto, Executive Director of Student Performance, Chief Operating Officer

Richard Ross, Executive Director of Student Performance

Johnny Zea, Director, Language and Cultural Services

Ha Nguyen, Financial Resource Specialist/Budget & Financial Issues

Thuc Nguyen, Data & Report Specialist

Tonya Steele, District Financial Officer/Title III

Patricia Wiley, ELL Coordinator/Paraprofessionals & Parent Involvement

Susan Morton, ELL Instructional Facilitator

Taylor Tribble, ELL Facilitator/Standards

Suzie Brewer, ELL Facilitator/Newcomers

Guymon Public Schools Participants:

Douglas Melton, Superintendent, Title III Coordinator, Federal Programs Director, and Budget Director

Mike Parkhurst, Assistant Superintendent, Testing and Curriculum

Jason Watkins, Principal, Academy Elementary

Travis Stump, ELL Teacher

Mariam Bolyard, ELL Teacher

Claudia Winters, ELL Teacher

Lori Shannon, ELL Teacher

Betty Puebla, ELL Teacher

Deborah Sanders, ELL Teacher

Tulsa Public Schools Participants:

Michael Zolkoski, Superintendent

Nilda Reyes, Diversity and Equity Director

Todd Orme, Director of Assessment

Mary Guinn, Chief Academic Officer

Beverly Rubert, Budget Analyst

Union Public Schools Participants:

Kirt Hartzler, Assistant Superintendent

Cathy Collins, Title III Coordinator

Todd Nelson, Director, Student Assessment

Jackie White, Director, Pupil Accounting/Grants

Charlie Bushyhead, Director, Secondary Curriculum

Kathy Dodd, Director, Elementary Curriculum

U.S. Department of Education Participants:

Kathleen Leos, Assistant Deputy Secretary, OELA

Margarita Pinkos, Associate Assistant Deputy Secretary, OELA

Rubén J. Vázquez, Education Program Specialist, OELA

Margarita Ackley, Education Program Specialist, OELA

Marilyn Rahilly, Education Program Specialist, OELA

Previous Audit Findings: None

Previous Monitoring Findings: None. This was the first Title III monitoring visit.

Summary of Title III, Part A Monitoring Indicators

State Submissions			
Element Number	Description	Status	Page
Element 1.1	State Submissions: Follow-up on areas identified through desk audit and document reviews	Reviewed	8
Fiduciary			
Element 2.1	Reservation and Use of Funds: The SEA has a system in place that enables it to account for: (1) Funds reserved for State administration (2) Funds reserved to provide technical assistance and other State-level activities (3) Funds reserved for immigrant activities, and (4) Funds that become available for reallocation	Fiscal Report Forthcoming	8
Element 2.2	Allocations, Reallocations, and Carryover: The SEA complies with— <ul style="list-style-type: none"> • The procedures for Title III allocations outlined in Section 3114 • The procedures for allocating funds for immigrant children and youth programs as outlined in Section 3114(d) • The reallocation provisions in Section 3114(c) 	Fiscal Report Forthcoming	8
Element 2.3	Supplement not Supplant: The SEA ensures that Title III funds are used only to supplement or increase Federal, State, and local funds used for the education of participating children and not to supplant those funds	Fiscal Report Forthcoming	8
Element 2.4	Equipment and Real Property: The SEA ensures that equipment is procured at a cost that is recognized as reasonable and that the equipment is necessary for the performance of the Federal award. Title III funds may not be used to acquire real property	Fiscal Report Forthcoming	8
Element 2.5	Other Financial Management Issues	Fiscal Report Forthcoming	8

ELP Standards, Assessments and Accountability			
Element Number	Description	Status	Page
Element 3.1	English Language Proficiency (ELP) Standards: State English language proficiency standards have been developed, adopted, disseminated, and implemented	Finding: Further Action Required	8-9
Element 3.2	ELP Assessments: ELP assessments have been administered to all LEP students in the State in grades K-12. Accountability through data collection has been implemented	Reviewed	9
Element 3.3	New English Language Proficiency Assessment: Transition to new ELP assessment or revision of the current State ELP assessment	Reviewed	9
Element 3.4	Annual Measurable Achievement Objectives (AMAOs): AMAOs have been developed and AMAO determinations have been made for Title III-served LEAs	Finding: Further Action Required	9
Element 3.5	Data Collection: The State has established and implemented clear criteria for the administration, scoring, analysis, and reporting components of its ELP assessments, and has a system for monitoring and improving the ongoing quality of its assessment systems. Data system is in place to meet all Title III data requirements, including capacity to follow Title III-served students for two years after exiting; State approach to follow ELP progress and attainment over time, using cohort model	Reviewed Recommendation	10

State Level Activities; LEA Authorized and Required Activities, Immigrant Children and Youth			
Element Number	Description	Status	Page
Element 4.1	<p>State-Level Activities: Using administrative funds, the State carries out one or more activities that may include:</p> <ul style="list-style-type: none"> • Professional development • Planning, evaluation, administration and interagency coordination • Promoting parental and community participation • Providing recognition to subgrantees that have exceeded AMAO requirements 	<p>Findings: Further Actions Required</p> <p>Recommendation</p>	10
Element 4.2	<p>Required Subgrantee Activities: The subgrantee is responsible for increasing the English proficiency of LEP students by providing high-quality language instructional programs and high-quality professional development to classroom teachers (including teachers in classroom settings that are not the settings of language instructional programs), principals, administrators, and other school or community-based organization personnel</p>	Reviewed	10-11
Element 4.3	<p>Authorized Subgrantee Activities: The LEA may use the funds by undertaking one or more authorized activities</p>	Reviewed	11
Element 4.4	<p>Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth: The subgrantee receiving funds under Section 3114(d)(1) shall use the funds to pay for activities that provide enhanced instructional opportunities for immigrant children and youth</p>	Reviewed	11

State Review of Local Plans			
Element Number	Description	Status	Page
Element 5.1	Application: The SEA ensures that its LEAs comply with the provision for submitting an application to the SEA (Section 3116(a))	Reviewed	11
Element 5.2	Private School Participation: LEAs are complying with NCLB requirements regarding participation of LEP students and teachers in private schools under Title III	Reviewed	11
Element 5.3	Teacher English Fluency: Certification of teacher fluency requirement in English and any other language used for instruction (Section 3116(c))	Reviewed	12
State Monitoring of Subgrantees			
Element 6.1	Monitoring: The SEA conducts monitoring of its subgrantees sufficient to ensure compliance with Title III program requirements	Finding: Further Action Required	12
Parental Notification and Participation			
Element 7.1	Parental Notification: Provisions for identification and placement and for not meeting the AMAOs; notification in an understandable format as required under Section 3302	Reviewed	12

State Submissions

Element 1.1- State Submissions

Reviewed: The Oklahoma State Department of Education (OSDE) has submitted all reports required under Title III, Part A, and the Consolidated State Application to the U.S. Department of Education (ED).

Citation: Section 3123, 34 CFR 80.40

Fiduciary

Fiscal report forthcoming from the U.S. Department of Education, Office of English Language Acquisition (OELA)

Element 2.1 – Reservation of Funds

Citation: Sections 3111, 3114(d), 3115, and 3116

Element 2.2 – Allocations, Reallocations, and Carryover

Citation: OMB A-87; EDGAR; 34 CFR 76.722; 34 CFR 80.4.

Element 2.3 – Supplement not Supplant

Citation: Section 3115(g); OMB Circular A-87 (Attachment A)

Element 2.4 – Equipment and Real Property

Citation: OMB A-87; EDGAR 76.533, 80.32

Element 2.5 – Other Financial Management Issues

ELP Standards, Assessments, and Accountability

Element 3.1 - ELP Standards

Finding: The Oklahoma State Department of Education (OSDE) has not yet fully developed and implemented State English language proficiency (ELP) standards that are aligned with the achievement of State academic content and achievement standards in reading/language arts, mathematics, and science. The OSDE adopted the World-Class Instruction Design and Assessment (WIDA) standards in 2006, and conducted an independent alignment study regarding the relationship of the WIDA standards to Oklahoma Priority Academic Student Skills (PASS) in mathematics, reading/language arts, and science, but did not submit information on the conclusions of this study.

Further Action Required: The OSDE must submit evidence of its full development and implementation of English language proficiency (ELP) standards and information on the

conclusions of the study that was conducted on the alignment of the ELP standards with the achievement of State academic content and achievement standards in reading/language arts, mathematics and science.

Citation: Sections 3113 and 3116

Element 3.2 - ELP Assessments

Reviewed: The OSDE provided evidence that the State administered the Assessing Comprehension and Communication in English State-to-State for English Language Learners (ACCESS), its ELP assessment, to all limited English proficient students in grades K-12 during 2005-2006.

Citation: Section 3113(b)(3)(D)

Element 3.3 – New English Language Proficiency Assessment

Reviewed: The OSDE adopted the ACCESS for ELLs English proficiency test in January 2006. The State requires all LEAs to use the ACCESS for the annual English language proficiency assessment of English language learners. The State has developed and delivered training for ACCESS administration. The State and local school districts also provided evidence of the assessment of English language learners, and of accountability through data collection.

Citation: Section 3113(b)(3)(D)

Element 3.4 – Annual Measurable Achievement Objectives

Finding: Title III staff, Title I staff, and assessment directors at some LEAs had very limited or no understanding of the Title III AMAOs. Specifically, many of the LEA level staff to whom the ED team spoke did not know the three required elements of the AMAOs, the consequences of not meeting the AMAOs, or the status of their particular school districts with respect to meeting or not meeting the AMAOs. One LEA, Guymon Public Schools, reported that it has resorted to depending on another State to receive additional Title III guidance because OSDE has not provided training in this area.

Further Action Required: The OSDE must implement a plan, and a timeline for providing all LEAs receiving Title III subgrants with information on the AMAOs. This information must include the status of Title III subgrantees with respect to meeting or not meeting the AMAOs, the three required components of the AMAOs, the State's AMAO targets, the consequences of not meeting the AMAOs, and other information that the SEA deems to be relevant to all LEAs' understanding of Title III AMAOs. The plan and timeline must be submitted to OELA.

Citation: Section 3122(a) and Section 1111(b)(2)(B)

Element 3.5 – Data Collection

Reviewed: There was a discrepancy in the data submitted in OK's 2006 Consolidated State Performance Report. Specifically, the State reported that 30,776 students had participated in achievement assessments in mathematics, but only reported the scores of 8,882 students. During the on-site review, the State indicated that the discrepancy was due to an error. It was unclear if OSDE has a verification process for data submitted to ED.

Recommendation: The ED team recommends that the State develop procedures to ensure that the data submitted in the Consolidated State Performance Report is accurate.

Citation: Section 3121(a)

State-Level Activities; LEA Authorized and Required Activities; Immigrant Children and Youth

Element 4.1 – State-Level Activities

Finding: The OSDE could not provide information on the State-level activities it conducts and information on the funding it sets aside in order to carry out the activities. The State did provide evidence to the ED monitoring team on how it has disseminated information to LEAs regarding Title III program requirements, SIOP training, and the new ELP assessment.

Further Action Required: The OSDE must provide information on the State-level activities it conducts and information on the funding it sets aside in order to carry out the Title III State-level activities.

Finding: Some LEAs in the State that are geographically distant from the OSDE office indicated that they had not received sufficient guidance related to State-level activities from the State Department of Education.

Further Action Required: The State must develop and implement a plan to ensure that all Title III subgrantees are included in State-level activities, regardless of their geographic location and distance from the State Department of Education.

Citation: Section 3111(b)(2)

Element 4.2 – Required Subgrantee Activities

Reviewed: LEAs and schools in the State demonstrated their understanding of both the two required activities and the authorized activities under Title III, and credited the

OSDE Bilingual Education Section staff in providing the training that facilitated this understanding.

Citation: Section 3115(c)

Element 4.3 – Authorized Subgrantee Activities

Reviewed: LEAs produced evidence of authorized activities provided to LEP students under Title III, Section 3115(c).

Citation: Section 3115(d)

Element 4.4 – Activities by Agencies Experiencing Substantial Increases in Immigrant Children and Youth

Reviewed: Some school districts in the State, such as Oklahoma City and Union Public Schools, have experienced a large enrollment increase in the number of immigrant children and youth. This has resulted in an increased need for Title III funding in order to accommodate the educational needs of immigrant children and youth. The State reserved 15% of its Title III funding for these students under Section 3114(d).

Citation: Section 3114(d)(1)

State Review of Local Plans

Element 5.1 – State Review of Local Plans

Reviewed: LEAs in the State described the Title III local plan development and application process. Overall, the Office of Bilingual Education/Title III at OSDE appears to have a thorough process in place for reviewing local plans and applications.

Citation: Section 3116(a)

Element 5.2 – Private School Participation

Reviewed: LEA representatives demonstrated understanding of the requirement to serve LEP students and their teachers in non-public schools in their districts, and had systems in place to document consultation with non-public school officials.

Citation: Section 9501

Element 5.3 – Teacher English Fluency

Reviewed: The State issues teaching licenses and certificates, and requires teachers to take three tests assessing reading and writing skills and specific content areas in order to become certified teachers in Oklahoma.

Citation: Section 3116(c)

State Monitoring of Subgrantees

Element 6.1 – State Monitoring of Subgrantees

Finding: The OSDE did not have a standard system in place to evaluate LEAs' compliance with Title III requirements. The OSDE's timeline for conducting desk monitoring and on-site monitoring of LEAs was unclear.

Further Action Required: The OSDE must provide evidence regarding the following aspects of its monitoring review of LEAs' implementation of Title III, Part A:

- 1) The timeline or cycle for conducting desk and on-site monitoring
- 2) The timeline and plan for developing and implementing standard and uniform procedures for conducting Title III on-site reviews.

Citation: Section 3113, 3122; and 34 CFR 80.40

Parental Notification and Participation

Element 7.1– Parental Notification and Participation

Reviewed: The majority of LEAs in Oklahoma met Title III AMAO targets. A notification letter was sent to school districts that failed to meet Title III AMAOs, and a two-day workshop was provided to those school districts. The State also required LEAs to notify parents if the district in which their child was enrolled failed to meet Title III AMAOs.

Citation: Section 3302(b)